

REMARKS/ARGUMENTS

Claims 1-28 are pending, no new claims have been added or deleted.

Claims 1-9 stand rejected under 35 U.S.C. §102(e) as being anticipated by Harrington (U.S. Patent No. 5,895,454). Claims 10-28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Harrington in view of Barlow et al. (“Barlow”, U.S. Patent No. 6,038,551). Applicants respectfully traverse these rejections.

As noted in applicants’ previously filed response, claim 1 defines an asset tracking, managing and servicing system that, in accordance with a “user-referenced subsystem,” a “control and communication subsystem” and a plurality of databases, enables the tracking of user-based assets, and enables the managing of servicing for user-based assets for each of a plurality of users. Furthermore, using the asset tracking, managing and servicing system defined in applicants’ claim 1, vendors can initiate interactions between user-referenced and vendor-referenced data records. Enabling vendors (and users) to initiate interactions in manner that creates current user information effectively provides for asset tracking, managing and servicing. Harrington does not teach or suggest these claimed features.

In the Response to Arguments section of the present Office Action, the Examiner makes reference to the term “tracking” and states that the term “tracking” is disclosed only in the preamble and not in the body of the claim. The Examiner further states that the preamble “carries no patentable weight during the prosecution (sic.) of a claimed invention.” Applicants respectfully direct the Examiner’s attention to the body of applicants’ claim 1, line 15, which defines, a “control and communication subsystem” that enables “tracking the user-based assets and managing servicing for the user-based assets for each of the plurality of users.” Therefore, the control and communication subsystem that enables tracking should be afforded full patentable weight during prosecution of the present patent application.

Harrington teaches an integrated environment to effect commerce (column 2, line 23). Harrington teaches organizing and integrating commercial interactions via a remote database application whereby a user accesses a database to locate and interact with a range of remote

vendor locations. In particular, information stored in the database “directs” the user to vendor web sites, always in response to a user initiated activity, such as a keyword search, an interaction with a graphical icon, selection of screen controls or the like.

Harrington, in contrast with applicants’ claim 1, does not teach or suggest tracking user-based assets, nor does it teach managing the servicing of user-based assets for each of a plurality of users. Further, Harrington does not teach or suggest enabling vendor based interactions between user-based records and vendor-based records. Nowhere in Harrington is a vendor able to “initiate” an interaction between asset and relationship tracking repository data records that are user-referenced and the at least one of a service and product, vendor-referenced data records that are vendor-referenced, in a manner that creates current user information. Instead, Harrington teaches a database that stores vendor data 32 and which is used to direct customers to vendor sites to review vendor data 36 to enable customers to purchase goods or services. Purchasing goods or services from a vendor is not equivalent to tracking user-based assets, nor is it equivalent to managing the servicing of user-based assets. Thus, fundamental elements of applicants’ claim 1 are missing from the teachings of Harrington, including a control and communication subsystem enabling asset tracking, managing and servicing.

Moreover, applicants have carefully reviewed the passages of Harrington cited by the Examiner, notably Fig. 1, Col. 2, lines 26-47, and cannot find any teaching or suggestion of tracking user-based assets and managing servicing for the user-based assets for each of a plurality of users. Fig. 1 is a schematic of a network (col. 3, line 24), and Col. 2, lines 26-47 refer exclusively to effecting a commercial transaction between a buyer and a seller. There is no mention of tracking user-based assets, servicing user-based assets, and/or vendor initiated interactions between user-based records and vendor-based records.

Thus, for the reasons set forth above, applicants respectfully submit that features of applicants’ claim 1 are not taught or suggested by Harrington. Harrington does not anticipate applicants’ claim 1 and, therefore, claim 1 is patentable. Moreover, claim 2-9 depend directly or

indirectly from claim 1 and are, therefore, patentable for the same reasons, as well as because of the combination of features in those claims with the features set forth in the claim(s) from which they depend.

With regard to claims 10-28, currently rejected under 35 U.S.C. §103(a), applicants respectfully submit that Barlow does not supply the elements of applicants' claim 1 that are missing from the teachings of Harrington. Barlow describes a system and method for configuring and managing security resources on a multi-purpose integrated circuit smartcard using a personal computer. Barlow teaches that a user maintains information about their personal assets or other aspects of their lives on an intelligent PC card which can be connected to a computer to monitor and update its contents, or to a remote computer. Barlow, however, does not teach or suggest applicants' claim 1 control and communication subsystem that enables a vendor able to "initiate" an interaction between asset and relationship tracking repository data records in a manner that creates current user information, and enables tracking the user-based assets and managing servicing for the user-based assets for each of the plurality of users.

Accordingly, applicants respectfully submit that the combination of Harrington and Barlow does not teach all of the elements of applicants' claim 1 and, therefore, does not render applicants' claim 10-28 obvious under 35 U.S.C. §103(a). In view of the foregoing remarks, reconsideration is respectfully requested.

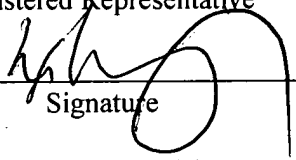
Claims 10-28 depend directly or indirectly from claim 1, and are, therefore, patentable for the same reasons, as well as because of the combination of features in those claims set forth the with the combination of features set forth in the claim(s) from which they depend.

This application is now believed to be in condition for allowance, for which action is earnestly solicited.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on February 21, 2006:

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Name of applicants, assignee or
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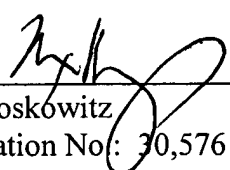

Signature

February 21, 2006

Date of Signature

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Respectfully submitted,



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